

# Virginia Special Nonresident Claim For Individual Income Tax Withheld



First Name	MI	Last Name	Suffix	Your Social Security Number	
Present Home Address (number and street, including apartment number, or rural route)				Spouse's Social Security Number	
City, Town or Post Office				State	ZIP Code

**Use This Form Only If You Qualify For One Of The 3 Categories In Part I Below  
(Complete Both Part I And Part II)**

## PART I (Check One)

- ☐ A. I declare that during the taxable year shown above:

  1. I was not a domiciliary or legal resident of Virginia at any time;
  2. I did not live in Virginia at any time;
  3. I commuted on a daily basis from my place of residence in **(Check One)**:  
☐ Kentucky    ☐ District of Columbia  
to my place of employment in Virginia; and
  4. That my only income from sources within Virginia was from wages and salaries which were subject to income taxation by the state (district) checked above.

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☐ B. I declare that during the taxable year shown above:

  1. I was a domiciliary or legal resident of **(Check One)**:  
☐ Maryland    ☐ Pennsylvania    ☐ West Virginia
  2. I was not an actual resident of Virginia (an actual resident is one who has his or her place of abode in Virginia for a total of more than 183 days of the taxable year); and
  3. That my only income from sources within Virginia was from wages and salaries which were subject to income taxation by **(Check One)**:  
☐ Maryland    ☐ Pennsylvania    ☐ West Virginia

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☐ C. I declare that during the taxable year shown above:

  1. I was not a domiciliary **or** legal resident of Virginia at any time;
  2. I was a resident of (state) \_\_\_\_\_
  3. I did not perform any services in Virginia; and
  4. The Virginia tax was erroneously withheld from salary and wages paid me by my employer.

## PART II

I request that the Virginia income tax withheld, as evidenced by the attached wage and tax statement(s), Form W-2, be refunded to me. Refund amount requested: \$

File this claim by **May 2, 2005**, with the **Department of Taxation,**  
**P.O. Box 1498, Richmond, Virginia 23218-1498, 804-367-8031.**

**You Must Attach A Complete Copy Of Your State Of Residence Income Tax Return  
If You Are A Resident Of A State With An Individual Income Tax**

I, the undersigned, do declare under penalties provided by law that this is a true, correct and complete return.				
<b>Please Sign Here</b>	Your Signature	Date	Your Business Phone Number	Home Phone Number
	<b>X</b>		(   ) ●	(   ) ●
<b>Preparer's Use Only</b>	Preparer's Signature	Date	Preparer's Phone Number	
	<b>X</b>			
Firm's Name (or yours if self-employed) and Address				

**NOTE: A separate Form 763-S must be completed for both husband and wife when both filers have Virginia income tax withheld.**